

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE NATIONAL PRESCRIPTION  
OPIATE LITIGATION

*This document relates to:*

*County of Tarrant, Texas v. Purdue Pharma  
L.P., et al., Case No. 1:18-OP-45274;*

*Durham County, North Carolina v.  
AmerisourceBergen Drug Corporation, et al.,  
Case No. 1:19-OP-45346;*

*Board of County Commissioners of the  
County of Santa Fe, New Mexico v. Purdue  
Pharma L.P., et al., Case No. 1:18-OP-  
45776;*

*Cobb County, Georgia v. Purdue Pharma  
L.P., et al., Case No. 1:18-OP-45817;*

*Montgomery County, Ohio Board of County  
Commissioners, et al. v. Cardinal Health,  
Inc., et al., Case No. 1:18-OP-46326*

MDL No. 2804

Case No. 1:17-md-2804

Judge Dan Aaron Polster

**PLAINTIFFS' PROPOSED ORDER**  
**GRANTING PLAINTIFFS' MOTION FOR**  
**LEAVE TO FILE COMPLAINTS UNDER**  
**SEAL**

Civil Local Rule 5.2 provides that “[n]o document will be accepted for filing under seal unless a ... prior court order authorizes the filing of sealed documents.” The Court has ordered that the five above-captioned cases be remanded for bellwether proceedings and that Plaintiffs may supplement and amend their complaints. Minute Order (Apr. 22, 2021); Order (Apr. 9, 2021), Dkt. 3688. Plaintiffs seek the Court’s leave to file their supplemental and amended complaints under seal.

Plaintiffs' supplemental and amended complaints will contain material subject to the Court's standing protective and confidentiality orders because Defendants have marked the material as confidential. *See* Order Amending Procedures Regarding Redactions and Filing of Briefs Under Seal (July 5, 2019), Dkt. 1813; Order Amending Case Management Order No. 2 (Protective Order) (Feb. 11, 2019), Dkt. 1357; Case Management Order No. 2: Protective Order (May 15, 2018), Dkt. 441. Accordingly, Plaintiffs will be given leave to file their complaints under seal.

In light of the "strong presumption in favor of openness" accorded to pleadings, "which applies here with extra strength given the paramount importance of the litigation's subject matter," Plaintiffs' complaints should not remain under seal unless they contain confidential material which must be redacted. *In re Nat'l Prescription Opiate Litig.*, 927 F.3d 919, 939 (6th Cir. 2019). Accordingly, Defendants must indicate whether they will request any redactions no later than five days after Plaintiffs' supplemental and amended complaints are served.

For the reasons above, Plaintiffs' motion is GRANTED. Defendants are ORDERED to indicate whether they will request any redactions no later than five days after Plaintiffs' supplemental and amended complaints are served.

**IT IS SO ORDERED.**

Dated: May \_\_, 2021

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DAN AARON POLSTER  
UNITED STATES DISTRICT JUDGE